

5-638546
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JUDGE STEIN

MAERSK LINE,
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Plaintiff,

07 CIV 4542

- against -

CIVIL COMPLAINT
IN ADMIRALTY

SUNSARA MARKETING, LLC,

Defendant.
-----X

Plaintiff MAERSK LINE, by its attorneys, LAW OFFICES OF
ALBERT J. AVALLONE & ASSOCIATES, as and for its Complaint against
defendant SUNSARA MARKETING, LLC, in personam, in a cause of action civil
and maritime, alleges upon information and belief:



1. This is an admiralty and maritime claim within the meaning of Rule 9(h) of the Federal Rules of Civil Procedure, and the Ocean Shipping Reform Act of 1999, 46 U.S.C., App. Section 1701, et seq.

2. At all times hereinafter mentioned, plaintiff MAERSK LINE was and still is a corporation duly organized and existing under the laws of the State of Delaware with offices and a place of business at 6000 Carnegie Blvd., Charlotte, NC 28209.

3. Upon information and belief and at all times hereinafter mentioned, defendant had and now has the legal status and place of business as set forth in Schedule A.

4. On or about the dates and at the ports of shipment stated in Schedule A, certain goods were delivered to plaintiff to be carried to the ports of destination and at the agreed charges to be paid by defendant pursuant to plaintiff's published tariff, all as set forth in Schedule A.

5. Thereafter, the goods were carried to the ports of destination and delivered to the defendant and/or its agents.

7. Defendant has failed and refused and continues to fail and refuse to remit payment of \$20,193.00, although duly demanded.

8. By reason of the foregoing, plaintiff has sustained damages in the amount of \$20,193.00 which, although duly demanded, have not been paid.

WHEREFORE, plaintiff prays:


1. For judgment in the amount of plaintiff's damages, together with interest thereon, costs, disbursements and a reasonable attorney's fee.

2. That process in due form of law according to the practice of this Court in cases of admiralty and maritime jurisdiction may issue against the defendants citing them to appear and answer all the singular matters aforesaid.

3. That plaintiff have such other and further relief in the premises as in law and justice it may be entitled to receive.

Dated: New York, New York
MY 16, 2007

LAW OFFICES OF
ALBERT J. AVALLONE & ASSOCIATES

By 
Albert J. Avallone - AA1679
Attorneys for Plaintiff
MAERSK LINE
551 Fifth Avenue, Suite 1625
New York, NY 10178
(212) 696-1760

SCHEDULE A

I. Defendant's status & address:

A. Upon information and belief and at all times hereinafter mentioned, defendant **SUNSARA MARKETING, LLC** was and still is a corporation organized and existing under the laws of the State of New York, with offices and a place of business at 1545 Route 206, Bedminster, NJ 07921, with an agent for service of process at the corporate address and at 23 Foxhill Road, Cortland Manor, NY 10567.

II. Details of shipment(s):

1. Bill of Lading No. **MAEU522899711**, dated April 8, 2007, from San Antonio to Newark via Balboa on the Vessel **OLIVIA MAERSK**, one (1) forty-foot Refrigerated HI-Cube **SAID TO CONTAIN: BAGS FRESH ONIONS**, at the applicable tariff charge of \$6,731.00 (Exhibit A).

Amount Paid: \$0

Amount Due: \$6,731.00

2. Bill of Lading No. **MAEU522899716**, dated April 8, 2007, from San Antonio to Newark via Balbo on the Vessel **OLIVIA MAERSK**, one (1) forty-foot Refrigerated HI-Cube **SAID TO CONTAIN: BAGS FRESH ONIONS**, at the applicable tariff charge of \$6,731.00 (Exhibit B).

Amount Paid: \$0

Amount Due: \$6,731.00

3. Bill of Lading No. MAEU854295798, dated April 8, 2007, from San Antonio to Newark via Balboa on the Vessel OLIVIA MAERSK, one (1) forty-foot Refrigerated Hi-Cube SAID TO CONTAIN: BAGS FRESH ONIONS, at the applicable tariff charge of \$6,731.00 (Exhibit C).

Amount Paid: \$0

Amount Due: \$6,731.00

III. Total Amount Due: \$20,193.00